Passed

lestt. II-27—28,004—27-10-47.

(7)

Home (1949) Department.

Ms SERIES.

G.O. NO. 2817

Dated 9-7-49

[Despatch Abstract.]

Buildings - South Kanara district - A.E.C.M's Court at Mangalore - Allocation of rent between residential and office portions - Orders passed

From

R.O.C.No.4341/49-D1.

53250

K.C.Nambiar, Esq.,B.A.,B.L.,Bar-at-law,
Official Referee and Vacation Officer,
High Court, Madras.

To The Secretary to Government,
Home Department, Madras (with enclosures)
Dated 10th June, 1949.

Sir,

Buildings - S.Kanara district - Court of the II Additional I Class Magistrate, Mangalore - Allocation of rent of the residential and office portion.

I forward for orders of Government a copy of letter C.No. 4559/48-C3 dated 28-5-49 from the District Magistrate, S.Kanara with its enclosures.

Nambiar

Official Referee and
Vacation Officer.

PAG

Copy of letter ~~X~~Ref.C.No.4559/48 C-3 dated 28th May 1949 from the District Magistrate of South Kanara, to the Registrar, High Court, Madras.

Sub: COURTS - South Kanara - Court of the II Addl. I Class Magistrate - Mangalore - Building - Allocation of rent of the residential and office portion - Sanction - Requested.

P 3 of (a)
P 5 of (a)

Ref: (1) This office reference C.No.4559/48 C-3 dated 10-1-1949.
(2) G.O. No.575 Home Department dated 11-2-1949.

In G.O. Ms.No.575 Home Department dated 11-2-1949 the Government sanctioned the payment of Rs.150/- per mensem for the private building rented for the Court of the Second Additional First Class Magistrate, South Kanara, with effect from 1st September 1948.

2. A portion of the building is occupied by the II Addl. I Class Magistrate, for his residential purposes also. The Executive Engineer, South Kanara Division, ~~for~~ informs me that the plinth areas of the office and the residential portions are 2986 sq. ft. and 596 sq. ft. respectively, and that therefore the rent may be apportioned as follows: Rs.~~125~~ 125/- for the office portion and Rs.25/- for the residential portion. He reports further that the above allocation may be given effect to after obtaining the sanction of the competent authority

X

P 102 Book No.35 3. Under the powers delegated in item No.49 Appendix 7 of the Madras Financial Code, Volume II, the High Court of Judicature is the competent authority to accord sanction for giving effect to the allocation. I therefore request that sanction to the Distribution of the rent as detailed above may kindly be recorded.

4. I have directed the Second Addl. First Class Magistrate, South Kanara, to draw ~~th~~ and disburse the full rent of Rs.150/- per month for the period from 1-9-1948 to 30-4-1949 sanctioned in the G.O. cited above, to the owner of the building Mr. Joseph Lobo Prabhu, I.C.S., subject to approval by the High Court of Judicature. The Addl. I Class Magistrate has been informed that the rent due from him for the residential portion will be recovered from him soon after the sanction for the apportionment is obtained.

(5)

4

5. The certificate regarding the non-availability of Government buildings in Mangalore for the accommodation of the Court of the Second Additional First Class Magistrate, Mangalore and a copy of the statement showing the plinth area and the capital cost of the building furnished by the Executive Engineer, South KanaraDivision are enclosed. 5 enclosures

PR/

Enclosure to Ref.C.No.4559-48-C3.

PUBLIC WORKS DEPARTMENT.

From
Sri B.M.Muthanna,C.E.,
Executive Engineer,
South Kanara Division,
Mangalore.

To
The District Magistrate,
South Kanara, Mangalore.

No.1238 M dated 20th May 1949.

Ref: Your letter Ref.C.No.4559/48-C3 dated 16-5-49.

The plinth area of the whole building is 3582 Sq.ft.

i.e., Office portion: 2986 Sq.ft.
Residential portion: 596 ,,
Total .. 3582 Sq.ft.

The capital cost of the building works out to Rs.35160.

The building is about 20 years old and allowing a depreciation of 1½% on capital cost.

Present value: $35160 \left(1 - \frac{1\frac{1}{2}}{100}\right) 20$

: 25990 or Rs.26,000/-

Rent calculated at 6% on the capital cost.

Annual rent is $26000 \times \frac{6}{100}$

: 1560.

Therefore monthly rent: $\frac{1560}{12}$: 130-0-0

Considering the location of the building being in the heart of the town and the scarcity of the buildings, Rs.150/- may be considered reasonable.

The rent for office portion is:

$\frac{2986}{3582} \times 150$: 125-0-0

" for Residential portion: is:

$\frac{596}{3582} \times 150$: 25-0-0

Non-availability certificate is enclosed.

Before apportioning of rent between office and residence as above, the sanction of the High Court may please be obtained.

Encl: 1 Certificate.

Sd/B.M.Muthanna, 18-5-49

Executive Engineer, S.Kanara divn.,
Mangalore.

(true copy)

Sd. x x
for District Magistrate.

(TRUE COPY)

14.6.49.
for Sub-Assistant Registrar,
Administrative Department.

TAG/MR

C3 2 (4)

7

CERTIFICATE No. 74.

4

There is no ~~building~~ suitable public building borne on the Public Works Department list for the year ~~1948-49~~ 1949-50 for the location of the under-mentioned office :— The rate of rent viz Rs 125.0.0 + Rs 25.0.0 fixed for the private building is reasonable having regard to the local conditions and the scale of accommodation provided.

B M Mulimani
19/5/49

Dated 19.5.1949.

Executive Engineer,
South Kanara Division,
Mangalore.

19.5.49

NAME OF OFFICE : Court of the Second Assistant F. C. M. South Kanara

Office : Rs 125-0-0
Residence : 25-0-0

To

The District Magistrate S. Kanara Mangalore

With reference to his No. 4559/48-C3

dated 16. 5. 49 ~~1948~~

9

(C.N 53280.D/49)

HOME DEPARTMENT.

G.O. MS. No. 2817 dated 9.7.49

BUILDINGS - South Kanara district - A.F.C.M's Court at Managalore - Allocation of rent between residential and office portions - Orders passed.

READ: - G.O. Ms. No. 575, Home, dated 11-2-1949
From the D.M., South Kanara C.No.4559/48.C3, dated 28-5-1949
From the High Court, Madras R.O.C.No.4341/49-D1 dated 10-6-1949

ORDER

The Govt. accept the recommendation of the D.M., South Kanara that rent at ~~a sum of~~ Rs. 25/- (Rupees twenty-five) per mensem be recovered from the A.F.C.M. for the portion of the building used by him as residential accommodation.

To the D.M., South Kanara
" Registrar, High Court, Madras
" A.G. through the Fin.Dept

(C.No. 53250.D/49)

HOME DEPARTMENT

D

BUILDINGS - South Kanara district - A.F.C.M's Court at Managalore - Allocation of rent between residential and office portions

p. 3 of From the D.M., South Kanara C.No.4559/48 C3, dated 28-5-1949

p 5 of (G) In G.O. Ms. No. 575, Home, dated 11th Feb. 1949 sanction was accorded for the payment of Rs. 150/- for the private building rented for the court of the A.F.C.M. at Managalore.

para 2. p 3 of The D.M. reports that a portion of the building is occupied by the A.F.C.M. for his residential purposes and that the Executive Engineer, South Kanara division has stated that the rent may be apportioned as Rs. 125/- for the office portion and Rs. 25/- for the residential portion and requests that

para 3. p 3 of the allocation may be approved.

2. According to Article 49 Appendix 7 of the Madras

p. 103, Book 35 Financial Code, Vol.II when office accommodation is provided in a building partly used as a private residence, rent proportionate to the extent of the main building set aside solely for office use, subject to a maximum of half the rent of the house or Rs. 45/- a month, whichever is less, may be sanctioned by the High Court. As the rent proposed for office in this case exceeds Rs. 45/- the sanction of the Govt. is necessary for allocation. The draft order submitted is for approval.

P.W.D. and Finance may see for acceptance.

25.6.49 25.6.49 P.W.D / Fin

Home V.O. 53250-D/49-1

P.W.D (C)

25.6.49.

The draft order below may be accepted and the file passed on to Finance.

27 JUN 1949 5335

28.6.49 Fin

61726 27.6.49 DCS

P.W.D Lr. No. 7.7.49 27.6.49

29.6.49

29 JUN 1949 42875

The draft order below may be accepted subject to the slight amendment indicated in pencil

5.7.49

5.7.49 Fin 5.7.49

Home Fin. 42875 C/49

6.7.49

Home dept

The draft order may issue as amended by the Fin dept.

8/7/49

Issued as G.O.Ms.No. 2817 Rev/9-7-49.